

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

NATIONWIDE MUTUAL FIRE
INSURANCE COMPANY

v.

NOVA REAL ESTATE LLC,
LAWRENCE EBUROUH,
FELIX EBUROUH, KOFI NKANSA
MCHAYA, LLC, TONIA KAY, and
KATHLEEN RANALLI

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CIVIL ACTION

NO. 09-0303

SURRICK, J.

MARCH 1, 2011

ORDER

AND NOW, this 1st day of March, 2011, upon consideration of Plaintiff

Nationwide's Motion for Summary Judgment (ECF Nos. 20, 21) and all documents submitted in support thereof and in opposition thereto, it is **ORDERED** as follows:

1. Plaintiff's Motion for Summary Judgment is **GRANTED**.
2. Plaintiff is not obligated to provide indemnity or pay any sums for the claims in the Kay Lawsuit.
3. The Counterclaim for bad faith pursuant to 42 Pa. Cons. Stat. § 8371 is

DISMISSED WITH PREJUDICE.

IT IS SO ORDERED.

BY THE COURT:



R. BARCLAY SURRICK, J.